

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KIMBERLY DOLBEE,

Plaintiff,

v.

SAFEWAY INC et al.,

Defendant.

CASE NO. 2:21-cv-00846-TL

ORDER ON NOTICE OF
SETTLEMENT WITH PENDING
MOTION TO SEAL

This matter is before the Court *sua sponte*. Pursuant to the Parties' Notice of Settlement (Dkt. No. 49) filed on November 20, 2023, and in accordance with Section V of the Court's Standing Order for All Civil Cases, it is hereby ORDERED that the Parties shall submit a stipulated dismissal, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), **within thirty (30) days** from the date of this Order. If the Parties do not submit a stipulated dismissal by the above deadline, the Court will enter its standard order of post-settlement dismissal, allowing the Parties to reopen the case if they have not perfected the settlement agreement within sixty (60) days of the dismissal order.

1 Consequently, Defendant's Motion for Summary Judgment (Dkt. No. 33) and Plaintiff's
2 Cross-Motion for Summary Judgment (Dkt. No. 38), as well as all remaining deadlines and
3 hearings, including the trial date, are STRICKEN.

4 Pursuant to LCR 5(g), and the "strong presumption of public access to the court's files,"
5 the Court will not strike Defendant's pending Stipulated Motion to Seal (Dkt. No. 35), filed in
6 conjunction with its Motion for Summary Judgment, without further action from Defendant. As
7 previously noted via email from the Court to the Parties, it appears that the exhibits proposed for
8 sealing were not actually filed under seal and, therefore, have been publicly available since they
9 were filed. Defendant (who is the party seeking to protect its confidential designated materials)
10 has made no effort to remedy this error despite multiple assertions of its intent to do so.

11 Therefore, the Court ORDERS Defendant to file a stipulated notice withdrawing its motion to seal,
12 indicating the specific misfiled documents it would like withdrawn from the docket, **within 14**
13 **days** of the date of this Order. If Defendant fails to withdraw the motion and related documents,
14 the Court will rule on the merits of the motion pursuant to LCR 5(g).

15 Dated this 19th day of December 2023.

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18 Tana Lin
19 United States District Judge
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